

**TESTIMONY IN OPPOSITION OF COMMITTEE BILL NO. 4, AN ACT  
CONCERNING THE CONNECTICUT CLEAN AIR ACT.**

**March 10, 2022**

Good afternoon Senator Haskell, Representative Lemar, Senator Cassano, Representative Simms, Senator Somers, Representative Carney, and members of the Transportation Committee; and Senator Cohen, Representative Gresko, Senator Slap, Representative Palm, Senator Miner, Representative Harding and members of the Environment Committee. Thank you for the opportunity to provide testimony on behalf of Imagineers, LLC (“Imagineers”) in opposition of Committee Bill No. 4, An Act Concerning the Connecticut Clean Air Act.

I am Karl Kuegler, Jr. of Imagineers, LLC where I serve as the Director of Community Association Management for our common interest community management division. From our offices located in Hartford and Seymour, we serve about 200 Connecticut common interest communities comprising about 19,000 homes. Imagineers has been serving Connecticut common interest communities for 41 years. I am registered with the Department of Consumer Protection as a Community Association Manager holding registration number 0000522. I have over 30 years of experience in common interest community management and hold Certified Manager of Community Associations, Association Management Specialist, and Community Association Manager designations from the National Board of Certification for Community Association Managers. Imagineers is a member of the Connecticut Chapter of Community Associations Institute. I serve on the organization’s Board of Directors, Legislative Action Committee as its vice chair and chair the organization’s annual state educational conference.

Electric vehicle charging stations are becoming a reality in our state’s common interest communities without the implementation of legislative requirements. Associations are seeing more and more requests as electric vehicles become more available and desirable. Electrical vehicle charging stations are important in protecting the environment and in meeting the needs of individual homeowners in communities. However, the bill as proposed looks to impose a one size fits all approach to an issue that is far more complex than simply the right to have an electric vehicle charging station.

Common interest communities vary dramatically in their physical configuration and infrastructure. Many condominium units have garages that are directly attached to the unit or parking spots directly adjacent to the unit with the ability to easily connect charging stations to the unit’s electrical service. Still many other condominiums have detached multi bay garages that serve as parking spaces for multiple homes that have common electricity designed with only enough power to accommodate lighting and general purpose outlets. A number of communities have outdoor parking spaces in larger open parking lots. Many of these parking areas are not close to electrical supplies systems requiring extensive trenching, running of electrical conduits and adding electrical services. Adding to the diversity are communities with interior parking garages with spaces that may present challenges in providing electrical service to a vehicle charging station. Across the board are associations with aging electrical infrastructure that never was designed to support the increasing demands of a community transitioning to more

and more electrical powered vehicles. Each association needs to have the ability to determine how to best meet or accommodate its residents' need for electrical vehicle charging stations based on its own specific physical configuration.

The Bill has provisions that are concerning:

- The Bill states that an association's restrictions cannot "significantly increase the cost of the station or significantly decrease its efficiency or specified performance". What is the benchmark to determine the significance? What if the increased cost or decrease in performance or efficiency is caused by the fact that the existing utilities don't currently support the power supply needed?
- The Bill states that "If an application is not denied in writing within such sixty-day period, the application shall be deemed approved...". This is a concerning and potentially dangerous provision as it provides no assurances that the request was properly submitted to the association and could lead to work being performed within a community without the knowledge of the association that could negatively impact the rights and safety of others in the association.
- The Bill states that the owner that installed the charging station will disclose to a future owner of their unit "the existence of the electric vehicle charging station, and the associated responsibilities of the unit owner under this section." Although it may be reasonable to assume in some instances that the buyer of the unit would have the first option to purchase the charging station when purchasing the condominium, the provision seems to eliminate the option for charging station to be sold to another unit owner. This can be a viable option when and if parking spaces close to adequate utilities is an issue. An association may have the need to create a method of ensuring that all units have a fair opportunity to obtain a vehicle charging station.
- The Bill states that the association must allow use of the common areas for a charging station "if installation in the unit owner's designated parking space is impossible or unreasonably expensive." Again, what is an unreasonably expense? Who concludes if the installation is impossible?
- The Bill goes on to specify requirements of landlords of rental units where the landlord is required to approve the request of a tenant based on certain conditions. The Bill doesn't seem to consider when the rental unit owned by the landlord is an individual condominium in a common interest association.

Common interest communities are groups of unit owners that enter into a legal and binding contract with one another. The unit owners have the ability and right to revise the provisions of the contract between the unit owners based on both state statute and the association's governing documents. The attempt to usurp the rights of condominium property owners is an over-reach of government even if the motivation is well intended.

Rather than legislative restrictions, what our Connecticut common interest communities truly require is the State's help, guidance and financial assistance needed to add the appropriate electrical supply infrastructure as well as electrical vehicle charging stations.

For the reasons stated above, we are in **OPPOSITION** of Committee Bill No. 4, An Act Concerning the Connecticut Clean Air Act.